Minutes Environmental Management Commission Strategic Planning Ad Hoc Committee Meeting Alabama Department of Environmental Management Building 1400 Coliseum Boulevard Montgomery, Alabama 36110-2059 December 12, 2008

This is to certify that the Minutes contained herein are a true and accurate account of actions taken by the Strategic Planning Standing Ad Hoc Committee of the Alabama Environmental Management Commission on December 12, 2008.

Sam H. Wainwright, Chair

Strategic Planning Ad Hoc Committee

Certified this 17th day of April 2009.

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Minutes

Environmental Management Commission
Strategic Planning Ad Hoc Committee Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2059
December 12, 2008

Convened: 10:00 a.m. Adjourned: 10:20 a.m.

Part A

Transcript

Part B

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Attachments 1 – 3



Part A

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	·	1	MR. WAINWRIGHT: I'd like to
		2	call the meeting of the Strategic
		3	Planning Ad Hoc Committee to order. The
	ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION	4	first item on our agenda is consideration
	STRATEGIC PLANNING AD HOC COMMITTEE MEETING	5	of the minutes from the meeting of
	Alabama Department of Environmental Management	6	October 17th of '08.
	Building	7	DR, LESTER: Move to approve
	Alabama Room (Main Hearing Room) 1400 Coliseum Boulevard	8	them as they were given to us.
	Montgomery, Alabama	9	MR. WAINWRIGHT: Motion to
	·	10	approve and seconded. All in favor?
		11	DR. LESTER: Aye.
	December 12, 2008 10:00 a.m.	12	MR. WAINWRIGHT: Aye.
		13	Motion carries.
		14	The next item is a
		15	discussion of the draft Unified Strategic
		16	Plan, and I'd like to ask the Director,
	•	17	if he would, to present the plan.
		18	MR. GLENN: Thank you very
		19	much, Chair Wainwright, Commissioner
		20	Lester. It's my pleasure to stand before
	·	21	you and talk about where we are on
		22	this this issue. I'd like to start
		23	with a quick review of how we got to
	Page 2		Page 4
	•	1	
1	COMMITTEE MEMBERS PRESENT:	1	where we are right now.
2	SAM H. WAINWRIGHT, P.E., CHAIR	2	And as you recall, a year
3	DR, JOHN H. LESTER	3	ago at the December Commission meeting in
4	COLONIAGONINE ADEDONIOT DE CENT	4	2007, the Strategic Planning Ad Hoc
5	COMMISSION MEMBERS NOT PRESENT:	5	Committee, of course, that you chair with
6	KENNETH A. HAIRSTON, ESQUIRE	6	the members of Dr. Lester and Ken
7	ALGO PREGENT	7	Hairston was formed with a stated goal of
8	ALSO PRESENT	8	putting together a plan and putting it
9	ONIS "TREY" GLENN, III, ADEM DIRECTOR	9 . 10	before the Commission on this very day in
10	ROBERT TAMBLING, EMC LEGAL COUNSEL		2008. That was followed with
11	DEBI THOMAS, EMC EXECUTIVE ASSISTANT	11 12	the a lot of discussion where the
12		13	
13		14	unified-plan concept was envisioned, preparations of requests for proposal to
14		15	bring in external parties to help provide
15 16		16	some input into this, the Auburn
17		17	Montgomery Center for Government, in
18		18	particular Mr. Bob Ashurst, who is
19		19	present here today and available to talk
20	,	20	to you, responded to that.
21	•	21	A contract was negotiated,
22		22	and all of that with the concepts and the
	-	23	proposed action plan was presented to the
23			

1 (Pages 1 to 4)

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1	Commission in the June meeting and	1	Three specific ones are promulgating
2	discussed. And that's when the activity	2	rules, hearing appeals, and managing
3	commenced, when a lot of data collection	3	myself, the position of Director. I see
4	began, a lot of review of previous plans	4	the Department having two very key roles.
5	and issues.	5	Number one, implementing the policy you
6	At the August Commission	6	set. We do that through the management
7	meeting, we stopped and did a review of	7	of our permitting, compliance
8	where we were. We talked about the	8	determination, and enforcement systems
9	anticipated process, further process,	9	and programs mainly.
10	with the entire Commission, and more data	10	We also have a very
11	gathering and more work happened after	11	important role, which is to provide you
12	that. That all came together after input	12	with information that is necessary for
13	from stakeholders and others.	13	you to set policy. And so as you can
14	It came together in the	14	see, the Strategic Plan recognizes this
15	October Commission meeting where you were	15	relationship. It's depicted with a
16	presented with the results of all the	16	graphic on the screen here.
17	efforts to date in the form of a large	17	What I mean by that is, for
18	map that had the focus items on there	1.8	you to make decisions as Commission, you
19	that had been identified, as well as a	19	need to have information about what's
20	very, very rough draft of the concepts	20	been going on based on previous decisions
21	that could be presented in a unified	21	as well as any other factors, and we play
22	plan.	22	a role in providing that to you. For us
23	After discussion and	23	to know what to provide to you, we have
	Page 6		Page 8
1	continued work with the with	1	followed the policy that's set. So it
2	individual Commissioners, we prepared a	2	highlights the relationship and, again, I
3	draft plan that is now before you today.	3	think the strength of a Unified Strategic
4	I think you each have that plan. A copy	4	Plan as the direction that we have it.
5	of that plan was also provided to the	5	The plan highlights some key
6	members of the stakeholder meeting to	6	goals, strategies, and success factors
7	provide input as well.	7	that place a priority on the systems and
8	With that said, I'll now	8	processes that could be used to fulfill
9	switch over quickly to the plan itself	9	our goals and to enhance our operations
10	and that document. And you have a	10	and continue providing quality service
11	presentation here that this	11	and meeting our mission, which is
12	presentation's also available in the back	12	outlined in the legislature in the
13	for the audience as well.	13	passage of our act to assure for
14	The plan provides a focus;	14	Alabamians' safe, healthy, and productive
15	it provides a direction, one that I	15	environment.
16	personally am comfortable with will be	16	The plan sets apart and puts
17	appropriate one that I'm personally	17	a highlight on compliance, 100 percent
18	comfortable will be appropriate for a	18	compliance, and taking steps to encourage
19	unified Commission department-level plan.	19	that and to move toward that in
20	It clearly articulates the roles of each	20	everything that we do. Last but not
21	group and, which as a refresher, is the	21	least, the plan calls for, after passage
22	Commission's role to set policy.	22	of it, of course, immediately following
23	Do that a host of ways.	23	the passage of it, accountable,

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1	measurable actions to be developed that I	1	ask Mr. Hagood to give us a brief
2	would envision being developed by the	2	explanation of the changes in the rules
3	Department, at least for the	3	that we have proposed. I also the
4	department-level actions that we would	4	timing on the adoption of these rules,
5	undertake to be presented to you as the	5	Debi, when do those when do we start
6	body of the Commission, either as a whole	6	the process? What's the date on that?
7	Commission or the Committee, whatever the	7	MS. THOMAS: The process
8	desires of the Commission are. You	8	will begin December the 17th when they're
9	recall using those words "Operating Plan"	9	submitted to the Legislative Reference
10	or "Annual Operating Plan" for that.	10	Service.
11	Again, Chair Wainwright,	11	MR. WAINWRIGHT: And when do
12	with that, that is a quick summary of	12	we propose to have the process completed?
13	where we where we've been and what the	13	MS, THOMAS: We will have
14	plan has in it. I'd be happy to answer	14	them hopefully on the April's Commission
15	any questions you have or discuss	15	Meeting Agenda, consideration for
16	anything further you'd like me to.	16	adoption, and the effective date would be
17	MR. WAINWRIGHT: Mr. Glenn,	17	in May.
18	we appreciate all that you've done on	18	MR. WAINWRIGHT: All right.
19	this plan. You've carried the load on	19	MR. HAGOOD: Thank you,
20	it. Mr. Ashurst, it's been a pleasure	20-	Commissioner Wainwright, Commissioner
21	working with you, and the Auburn Center	21	Lester. As requested by the Director
22	for Government has done a great job for	22	through this committee, two rule changes
23	us. And we really do appreciate it's	23	were drafted, one having to do with basic
	Page 10		Page 12
1	been a year of hard work, but we really	1	promulgation of a Strategic Plan, and the
2	do appreciate what y'all have done.	2	other, how to incorporate the division of
3	I guess at this time we need	3	the Strategic Plan and any petition for
4	a motion to recommend this plan to the	4	rulemaking.
5	full Commission for adoption.	5	And I'll start with the
6	DR. LESTER: I'd make a	6	shortest one first, which would change
7	motion. Before I do that, I just want to	7	335-2-205, and that's the consideration
8	thank you Director Glenn and Mr. Ashurst.	8	of the petition. The only language that
9	It's good to work with people who know	9	was added there was you add an "h" to the
10	what they're doing. It's an integral	10	considerations that you make when you
11	part; it's what the Commission wanted,	11	consider passing a petition for a rule or
12	and there's a lot of, lot of questions	12	accepting a petition for a rule.
13	answered. Saying that, I make a motion	13	And h would read, The
14	that we send this to the Commission.	14	relevance and relation of the proposed
15	MR. WAINWRIGHT: The motion	15	rules to the most recent Unified
16	will be to recommend to the Commission	16	Strategic Plan adopted pursuant to Rule
17	that the that they proceed with the	17	335-1-103, which is in your
18	adoption of the Strategic Plan.	18	organizational rules, and that gets you
19	Seconded. All in favor say aye.	19	to the bigger rule, which discusses,
20	DR. LESTER: Aye.	20	under the duties of the Commission, how
21	MR. WAINWRIGHT: Aye, The	21	to come up with the plan.
22	motion carries.	22	And as was instructed me
23	The next item, I'd like to	23	through the process of this committee,

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1	going through the Director, we decided	1	MR, HAGOOD: Yes, sir. It
2	that you would need a beginning date,	2	gives you discretion. The "h," that
3	which Fiscal Year 2009 left us from	3	provision that was added, would be added
4	October to October we're close to	4	through any rule change, simply adds
5	being in the middle of and then gave	5	another consideration that you can make
6	you the authority to change the plan	6	when you consider a petition for rule
7	periodically but put limits on that: No	7	change.
8	more frequently than five years.	8	MR. WAINWRIGHT: You're
9	And I believe it was the	9	going to apply that same principle to the
1.0	wishes of the Commission that you don't	10	Strategic Plan?
11	get in a situation where you just plan to	11	MR. HAGOOD: Okay. I need
12	plan to plan to plan. And that five	12	to make sure I understand what you're
13	years was considered a suitable interval	13	asking.
14	in reference to the '04 plan being the	14	MR. WAINWRIGHT: Well, the
15	last plan that you had adopted.	15	principle is that if something's already
16	And the language considers	16	in process within the rule-change
17	all applicable statutes and regulations	17	procedure, we can deny a request for rule
18	and sets up a procedure whereby the	18	change.
19	Director would present to the Commission	19	MR. HAGOOD: Yes, sir.
20	notice of the intent to update the	20	MR. WAINWRIGHT: And you're
21	Unified Strategic Plan under which both	21	saying if it's included in this Strategic
22	the EMC and ADEM would operate. Notice	22	Plan and is timed for the future, we
23	contains basically what was given this	23	could also use that as a reason to deny a
	Page 14		Page 16
1	time, and that would be the departmental	1.	request for rule change?
2	goals, the time line for development, and	2	MR. HAGOOD: Yes, sir. You
3	a brief explanation of how you're going	3	have a lot of broad discretionary power,
4	to create the new plan.	4	and when you consider a petition and
5	And the next time you do it,	5	the only only thing that that rule
6	it may be different than the way you did	6	does and of course you can consider
7	it this time. This rule would allow for	7	that at any time in any rulemaking. But
8	that leniency. And upon notice of the	8	that rule of which you speak speaks
9	receipt, then the Commission would take	9	directly to petitions for rulemaking, and
10	over and appoint an ad hoc committee,	10	all it does is add another consideration
11	which we have right now before us, to	11	you can make.
12	oversee the development and	12	And I believe that the
13	implementation. Then the Commission	13	intention was you would want petitions
14	would approve whatever plan came from	14	before you to focus on your focus, your
15	that process.	15	direction, and that was the reason you
16	Those those are the rules	16	wanted that consideration in with the
17	as as I drafted them.	17	other half dozen or so. But the
18	MR. WAINWRIGHT: This we	18	rulemaking procedure, of course, as you
19	have a provision in here that allows us	19	understand it, is very discretionary with
20	to deny a petition if there if	20	the Commission. Any other questions?
21	they if a rule that would apply to it	21	MR. WAINWRIGHT: No.
22	is already in process, a rule change is	22	MR. HAGOOD: Thank you,
23	already in process?	23	sirs.

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1	DR. LESTER: Thank you.	1	with a Christmas tree this year this
2	MR. WAINWRIGHT: The next	2	meeting for the season, but to very
3	item, I'd like to ask the Director if he	3	clearly communicate what our mission is,
4	would give us a brief on the proposal for	4	what has been agreed to and highlighted
5	the rollout of this plan with regard to	5	by the Commission and now the Department
6	presenting it to the agency.	6	in a unified manner.
7	MR. GLENN: Yes, sir. And	7	Well, what are the major
8	as you and I have discussed specifically,	8	strategies? What are we moving toward?
.9	in the private sector or anywhere else, a	9	We could do that through posters or
10	plan is only as good as how it's	10	presentations to our staff. We could
11	implemented and how it's communicated to	11	have a wallet card. You and I
12	folks, and I think we all can see very	12	specifically talked about wallet cards or
13	clear examples of that when we might go	13	one-pagers that people can reference all
14	into into different private businesses	14	the time and they can keep these thoughts
15	where they have plaques on the wall,	1.5	clear on our mind.
16	headers over the elevator where you're	16	And so we've even mocked up
17	riding, anything else where they're	17	some potential cards there where it's
18	communicating these principles, not only	18	clear to everyone what our mission is,
19	to their employees, but also to the	19	what our vision is, what is key key
20	customers or stakeholders that they	20	goals are as well, as well as Q-and-A
21	interact with.	21	sessions, deliberate meetings where these
22	And so as we have discussed,	22	things are discussed and presented to
23	it is going to be important, assuming the	23	staff members. Even external sessions
***************************************	Page 18	***************************************	Page 20
1	plan is adopted, to focus some energy on	1	where this plan is discussed and
2	how this plan is then communicated to the	2	presented to the to the public.
3	public and to my, of course, main	3	And, again, all focusing on
4	interest, my staff. Because what I spoke	4	this line of sight so that every staff
5	to in the presentation was creating a	5	member here can equate their actions or
6	focus and an alignment of our staff, all	6	what they're doing and see those in full
7	of us going in the same direction with	7	light of what's important to the
8	the Commission's desires, and that I	8	Commission and what's important to us as
9	feel we do that, but we always need to	9	the State of Alabama.
10	make sure we communicate to make sure	10	So with that said, let me
11	that happens.	11	restate what I said at first: The plan
12	So we came up with several	12	is only as good as how it's communicated.
13	different ideas of how we could roll this	13	And if this plan gets passed, it can be
14	out, focusing of course on the audiences	14	the best thing in the world; but if it
15	that I had I had mentioned. And we	15	sits on a self, it doesn't do any of us
16	have opportunities such as an employee's	16	any good. It's got to be implemented and
17	paycheck. There's white space on that	17	it's got to be communicated.
18	sometimes messages are placed on. We	18	We've laid out and I've
19	could place messages there.	19	just mentioned a handful. There are, of
20	I think we're all you	20	course, many more potential things we can
21	know, we could have banners hanging in	21	do to roll this out. But what we wanted
22	the lobby. We've seen our display board	22	to make sure we communicated to you is
23	before, which obviously we've replaced	23	we've heard you, we've had the

	Page 21	Page 23
1	conversations, and we want to make sure	1
2	you know that we are focusing energy on	2 ******
3	how do we roll this out and communicate	3 REPORTER'S CERTIFICATE
4	that, because it needs to happen almost	4 * * * * * * *
5	immediately.	. 5
6	MR, WAINWRIGHT: Okay.	6 STATE OF ALABAMA
7	Certainly do appreciate your developing	7 COUNTY OF MONTGOMERY
8	this plan for us, and I believe we're	8 I, Jenny Cone, Certified
9	probably ought to have a motion to	9 Court Reporter and Notary Public in and
10	endorse the plan, the rollout plan.	10 for the State of Alabama at Large, do
11	DR. LESTER: I make a motion	hereby certify that the foregoing is a
12	this committee endorse the plan as	true and accurate excerpt of the
13	submitted by the Director.	proceedings as taken stenographically by
14	MR, WAINWRIGHT: I'll second	me at the time and place aforementioned.
15	it. All in favor?	This 12th day of December,
16	DR. LESTER: Aye.	16 2008.
17	MR, WAINWRIGHT: All	17
18	opposed? Motion carries.	18
19	MR. GLENN: Thank you, sir.	19
20	MR, WAINWRIGHT: That	20 Jenny Cone
21	concludes our business, I believe. Is	21 Certified Court Reporter (Lic.
22	there any other business for the	22 #108) and Notary Public
23	committee?	23 State of Alabama at Large
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1	DR, LESTER: Move to	
1 2	adjourn.	
3	MR, WAINWRIGHT: We're	
4	adjourned.	
5	(The meeting was adjourned.)	
6	(The meeting was adjourned.)	
7	•	
8		
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2	* * * * * * *
3	REPORTER'S CERTIFICATE
4	* * * * * *
5	
6	STATE OF ALABAMA
7	COUNTY OF MONTGOMERY
8	I, Jenny Cone, Certified
9	Court Reporter and Notary Public in and
10	for the State of Alabama at Large, do
11	hereby certify that the foregoing is a
12	true and accurate excerpt of the
13	proceedings as taken stenographically by
14	me at the time and place aforementioned.
15	This 12th day of December,
16	2008.
17	
18	
19	Genny Cone /ca
20	Jenny Cone
21	Certified Court Reporter (Lic.
22	#108) and Notary Public
23	State of Alabama at Large

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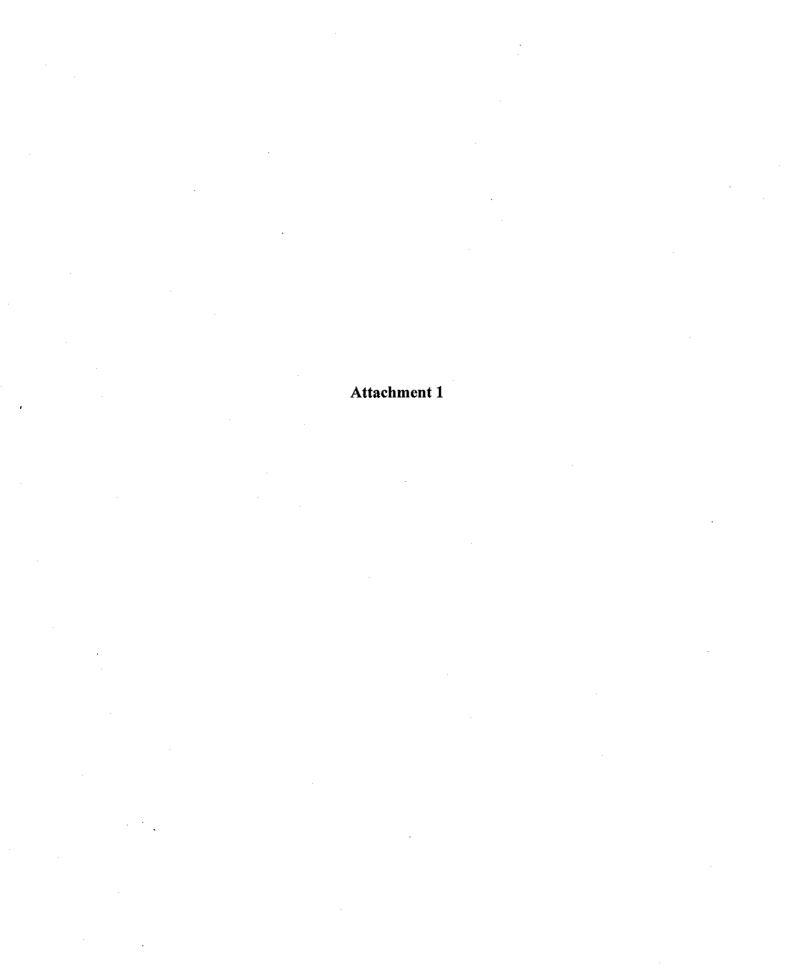
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Part B

Attachment Index

Attachment 1	Agenda
Attachment 2	Order adopting motion to recommend to the full Commission that they proceed with the adoption of the Unified Strategic Plan
	(Agenda Item 2 – Discussion of Draft Unified Strategic Plan)
Attachment 3	Order adopting motion that the Strategic Planning Ad Hoc Committee endorses the Strategic Plan Rollout Plan as presented by the Director
	(Agenda Item 2 – Discussion of Draft Unified Strategic Plan)





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AGENDA*

ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION STRATEGIC PLANNING AD HOC COMMITTEE MEETING Alabama Department of Environmental Management Building Alabama Room (Main Hearing Room)

1400 Coliseum Boulevard
Montgomery, Alabama 36110-2059
Friday, December 12, 2008

10:00 a.m.

ITEMS

- 1. Consideration of minutes of meeting held on October 17, 2008**
- 2. Discussion of Draft Unified Strategic Plan
- 3. Other business

^{*} The Agenda for this meeting will be available on the ADEM website, www.adem.alabama.gov, under EMC Information and Calendar of Events.

^{**} The minutes for this meeting will be available on the ADEM website under EMC Information.

Attachment 2

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BEFORE THE STRATEGIC PLANNING AD HOC COMMITTEE OF THE ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

MOTION

with	the a	doption o	of the	Unified	Strategic	Plan

ORDER

This cause having come before the Strategic Planning Ad Hoc Committee pursuant to the above motion, and having considered the same, the Committee hereby ORDERS, ADJUDGES, and DECREES as follows:

- 1. That the above motion is hereby adopted; and
- 2. That this action has been taken and this Order shall be deemed rendered effective as of the date shown below.

ISSUED this 12th day of December 2008.

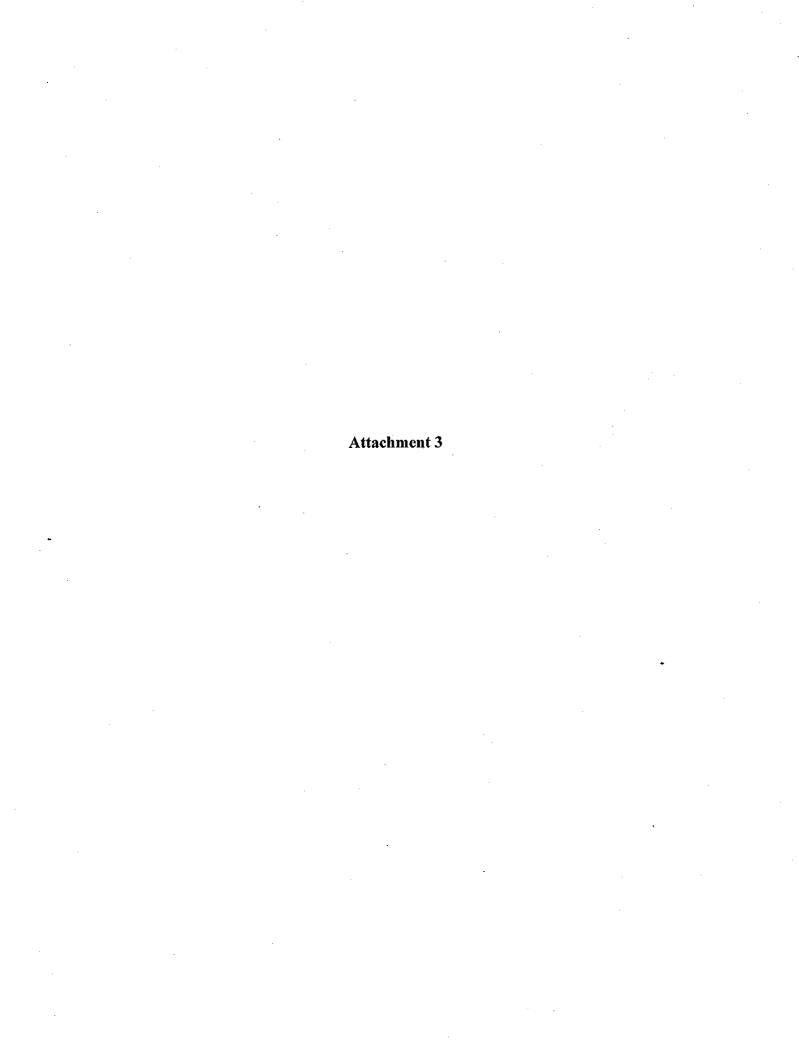
APPROVED:

Committee Member

Committee Member

Committee Member

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BEFORE THE STRATEGIC PLANNING AD HOC COMMITTEE OF THE ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

MOTION

The Strategic Planning Ad Hoc Committee Endorses

the Strategic Plan Rollout Plan as Presented by

the Director

ORDER

This cause having come before the Strategic Planning Ad Hoc Committee pursuant to the above motion, and having considered the same, the Committee hereby ORDERS, ADJUDGES, and DECREES as follows:

- 1. That the above motion is hereby adopted; and
- 2. That this action has been taken and this Order shall be deemed rendered effective as of the date shown below.

ISSUED this 12th day of December 2008.

APPROVED:

Committee Member

Committee Member

Committee Member